



PATENT
Customer No. 22,852
Attorney Docket No. 02887.0274

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
Shinya TAKYU et al.)	Group Art Unit: 2823
Application No.: 10/815,934)	Examiner: Kebede, Brook
Filed: April 2, 2004)	Confirmation No.: 9440
For: MANUFACTURING METHOD OF SEMICONDUCTOR DEVICE)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE

In reply to the Office Action mailed September 6, 2005, the period for response to which extends through December 6, 2005, please note the Terminal Disclaimer filed herewith.

In the Office Action, the Examiner rejected claims 2, 3, 12, and 13 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 17, 18, 20, and 21 of copending U.S. Patent Application No. 10/808,298 in view of Sugino et al., European Patent Application No. 1 107 299. Further, the Examiner noted that the filing of a Terminal Disclaimer "may be used to overcome an

actual or provisional rejection based on nonstatutory double patenting ground." Office Action at 2. Although Applicants do not agree with the Examiner's rejection, Applicants file a Terminal Disclaimer together with this Response to advance prosecution.

In view of the foregoing response, Applicants respectfully request the timely allowance of pending claims 2, 3, 12, and 13.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Richard V. Burgujian

Dated: December 6, 2005

By: *Robert E. Comer* #27,432
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